

1 JEREMY W. KATZ (SBN: 119418)
2 LINDA SORENSEN (SBN: 72753)
3 shierkatz RLLP
4 930 Montgomery Street, #600
5 San Francisco, CA 94133
6 jkatz@shierkatz.com
7 Telephone: (415) 895-2895
8 Facsimile: (415) 520-5879
9
10 Attorneys for
11 PAUL J. MANSDORF, TRUSTEE

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In re:
PICONGEN WIRELESS INC.,
Debtors.

**Case No. 12-48131 RLE 7
Chapter 7**

**OBJECTION TO PRIORITY CLAIMS OF
SAI MANAPRAGADA, CLAIM NUMBERS
4-1 AND 9-1**

[No Hearing Scheduled]

TO: Claimant SAI MANAPRAGADA, and to his attorney Robert Simon:

NOTICE IS HEREBY GIVEN that PAUL J. MANSDORF, trustee of this bankruptcy estate ("Trustee"), objects to your proofs of Claim Nos. 4-1 and 9-1 and any other or similar claim, copies of which are attached hereto, for the reasons stated below.

OPPORTUNITY TO OPPOSE AND REQUEST A HEARING

**NOTICE IS HEREBY FURTHER GIVEN THAT PURSUANT TO B.L.R. 3007-1
AND 9014-1(b)(3), AND FEDERAL RULES OF BANKRUPTCY PROCEDURE, RULE
3007, ANY OPPOSITION TO THE REQUESTED RELIEF, OR A REQUEST FOR
HEARING ON THE OBJECTION, MUST BE FILED AND SERVED UPON THE
TRUSTEE WITHIN 30 DAYS OF MAILING OF THIS NOTICE. A REQUEST FOR
HEARING OR OPPOSITION MUST BE ACCOMPANIED BY ANY DECLARATIONS
OR MEMORANDA OF LAW THAT THE PARTY OPPOSING OR REQUESTING
WISHES TO PRESENT IN SUPPORT OF ITS POSITION. IF THERE IS NOT A**

1 **TIMELY OPPOSITION TO THE REQUESTED RELIEF OR A REQUEST FOR**
2 **HEARING, THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF BY**
3 **DEFAULT. IF THERE IS A TIMELY OPPOSITION TO THE REQUESTED RELIEF**
4 **OR A REQUEST FOR HEARING, THE INITIATING PARTY WILL GIVE AT LEAST 7**
5 **DAYS' WRITTEN NOTICE OF THE HEARING TO THE OPPOSING OR**
6 **REQUESTING PARTY.**

7 **NOTICE IS HEREBY FURTHER GIVEN THAT WHERE A FACTUAL DISPUTE**
8 **IS INVOLVED, THE INITIAL HEARING ON AN OBJECTION SHALL BE DEEMED A**
9 **STATUS CONFERENCE AT WHICH THE COURT WILL NOT RECEIVE EVIDENCE.**
10 **WHERE THE OBJECTION INVOLVES ONLY A MATTER OF LAW, THE MATTER**
11 **MAY BE ARGUED AT THE INITIAL HEARING.**

OBJECTION

13 Claim No. 4-1 was filed on March 13, 2013, by Mr. Manapragada personally, and Claim
14 No. 9-1 was filed by his attorney Robert Simon also on March 13, 2013, on Mr. Manapragada's
15 behalf; the total amount asserted is the same, \$1,104,000 (collectively, the "Claims").

16 Whereas Claim No. 9-1 is in the same amount as No. 4-1, it makes no “secured” or
17 “priority” assertion; this filing by an attorney at law versed in the bankruptcy specialty tends to
18 establish that the Claimant has no valid priority or secured claim.

19 Neither of the Claims has any substantiation or indicia that a claim in the asserted amount
20 exists and is enforceable, or that Claimant has any basis for a claim for wages, salaries, or
21 commissions earned within the 180 days before the Case was filed.

22 Debtor's Schedules [ECF #11] state no priority or secured claim of Mr. Manapragada,
23 and state that his general unsecured claim is disputed.

24 Mr. Manapragada has not provided the Trustee with his Social Security Number, which is
25 required in order for the Trustee to make any payment in the nature of wages, whether priority or
26 nonpriority, despite written and oral request to attorney Simon for this information and for
27 substantiation of a claim in the nature of wages. This refusal to cooperate is sufficient ground to
28 disallow the claims as having to do with wages.

1 The Debtor's Schedules state that Mr. Manapragada is indebted to Debtor for "Loans to
2 Sai Manapragada plus interest", \$62,921.60. This argues against the existence of an "Unpaid
3 salary and compensation" or a "Money loaned and services rendered" debt of Debtor to Mr.
4 Manapragada. The proceedings that occurred in the Case identify Mr. Manapragada as an
5 influential investor in Debtor who received certain specific monies for projects in the
6 development of Debtor's product, whose role and contribution to Debtor's business prepetition,
7 and his actions in filing an involuntary petition against Debtor in order to purchase its assets,
8 made him a controversial figure whose claims are subject to dispute on the merits, according to
9 proof.

10 If Mr. Manapragada has a defense in set-off or the like to a claim against him, that is not a
11 true “secured” claim in property being administered by the Trustee, and any such secured claim
12 should be disallowed for purposes of distributions in the Case.

13 Therefore, the Trustee objects to the Claims, and requests that Claimant's Claims be
14 disallowed in their entirety.

CONCLUSION

16 Based on the foregoing, the Trustee requests that the Court disallow Claims No. 4-1 and
17 9-1 in their entirety, and in any event that no priority nor secured claim be allowed for
18 distribution in the Case, and for any other relief that the Court deems appropriate.

20 DATED/SERVED: December 4, 2013 shierkatz RLLP

By: /s/ Jeremy W. Katz
JEREMY W. KATZ
Attorneys for Trustee
PAUL J. MANSDORF

UNITED STATES BANKRUPTCY COURT		Northern District of California	PROOF OF CLAIM								
Name of Debtor: Picongen Wireless Inc.		Case Number: 12-48131 RLE 7									
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.											
Name of Creditor (the person or other entity to whom the debtor owes money or property): Sai Manapragada		COURT USE ONLY									
Name and address where notices should be sent: Sai Manapragada 27457 Green Hazel Road Hayward, CA 94544		<input type="checkbox"/> Check this box if this claim amends a previously filed claim. Court Claim Number: _____ (If known) Filed on: _____									
Telephone number: _____ email: _____											
Name and address where payment should be sent (if different from above): Telephone number: _____ email: _____		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.									
<p>1. Amount of Claim as of Date Case Filed: \$ 1,104,000.00</p> <p>If all or part of the claim is secured, complete item 4.</p> <p>If all or part of the claim is entitled to priority, complete item 5.</p> <p><input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.</p>											
<p>2. Basis for Claim: Unpaid Salary and Compensation (See instruction #2)</p>											
3. Last four digits of any number by which creditor identifies debtor:	3a. Debtor may have scheduled account as: (See instruction #3a)	3b. Uniform Claim Identifier (optional): (See instruction #3b)	Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____								
<p>4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.</p> <p>Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input checked="" type="checkbox"/> Other</p> <p>Describe: Principal and interests under promissory notes payable to Debtor</p> <p>Value of Property: \$ _____</p> <p>Amount of Secured Claim: \$ 62,921.60</p> <p>Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)</p> <p>Amount Unsecured: \$ _____</p>											
<p>5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.</p> <table> <tr> <td><input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).</td> <td><input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).</td> <td><input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).</td> <td>Amount entitled to priority: \$ 11,725.00</td> </tr> <tr> <td><input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).</td> <td><input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).</td> <td><input type="checkbox"/> Other – Specify _____ applicable paragraph of 11 U.S.C. § 507 (a)(__).</td> <td>\$ _____</td> </tr> </table> <p>*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</p>				<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).	Amount entitled to priority: \$ 11,725.00	<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other – Specify _____ applicable paragraph of 11 U.S.C. § 507 (a)(__).	\$ _____
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).	<input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).	Amount entitled to priority: \$ 11,725.00								
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).	<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	<input type="checkbox"/> Other – Specify _____ applicable paragraph of 11 U.S.C. § 507 (a)(__).	\$ _____								
<p>6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)</p> <p>Case# 12-48131 Dopt# 84-1 Filed 12/04/13 Entered 12/04/13 08:37:57 Page 4 of 9</p>											

7. Documents: Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

I am the creditor. I am the creditor's authorized agent. (Attach copy of power of attorney, if any.) I am the trustee, or the debtor, or their authorized agent. (See Bankruptcy Rule 3004.) I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

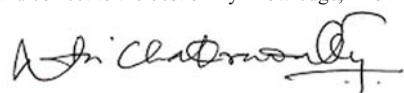
Print Name: Sai Manapragada

Title: Individual

Company: _____

Address and telephone number (if different from notice address above):

Telephone number: _____ email: _____



03/11/13

(Signature)

(Date)

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a):

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, attach a complete copy of any power of attorney, and provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

DEFINITIONS**INFORMATION****Debtor**

A debtor is the person, corporation, or other entity that has filed a bankruptcy case.

Creditor

A creditor is a person, corporation, or other entity to whom debtor owes a debt that was incurred before the date of the bankruptcy filing. See 11 U.S.C. §101 (10).

Claim

A claim is the creditor's right to receive payment for a debt owed by the debtor on the date of the bankruptcy filing. See 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Proof of Claim

A proof of claim is a form used by the creditor to indicate the amount of the debt owed by the debtor on the date of the bankruptcy filing. The creditor must file the form with the clerk of the same bankruptcy court in which the bankruptcy case was filed.

Secured Claim Under 11 U.S.C. § 506 (a)

A secured claim is one backed by a lien on property of the debtor. The claim is secured so long as the creditor has the right to be paid from the property prior to other creditors. The amount of the secured claim cannot exceed the value of the property. Any amount owed to the creditor in excess of the value of the property is an unsecured claim. Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment is a lien.

A claim also may be secured if the creditor owes the debtor money (has a right to setoff).

Unsecured Claim

An unsecured claim is one that does not meet the requirements of a secured claim. A claim may be partly unsecured if the amount of the claim exceeds the value of the property on which the creditor has a lien.

Claim Entitled to Priority Under 11 U.S.C. § 507 (a)

Priority claims are certain categories of unsecured claims that are paid from the available money or property in a bankruptcy case before other unsecured claims.

Redacted

A document has been redacted when the person filing it has masked, edited out, or otherwise deleted, certain information. A creditor must show only the last four digits of any social-security, individual's tax-identification, or financial-account number, only the initials of a minor's name, and only the year of any person's date of birth. If the claim is based on the delivery of health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information.

Evidence of Perfection

Evidence of perfection may include a mortgage, lien, certificate of title, financing statement, or other document showing that the lien has been filed or recorded.

Acknowledgment of Filing of Claim

To receive acknowledgment of your filing, you may either enclose a stamped self-addressed envelope and a copy of this proof of claim or you may access the court's PACER system (www.pacer.psc.uscourts.gov) for a small fee to view your filed proof of claim.

Offers to Purchase a Claim

Certain entities are in the business of purchasing claims for an amount less than the face value of the claims. One or more of these entities may contact the creditor and offer to purchase the claim. Some of the written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court or the debtor. The creditor has no obligation to sell its claim. However, if the creditor decides to sell its claim, any transfer of such claim is subject to FRBP 3001(e), any applicable provisions of the Bankruptcy Code (11 U.S.C. § 101 *et seq.*), and any applicable orders of the bankruptcy court.

UNITED STATES BANKRUPTCY COURT		Northern District of California	PROOF OF CLAIM
Name of Debtor: Picongen Wireless Inc		Case Number: 12-48131	COURT USE ONLY
NOTE: Do not use this form to make a claim for an administrative expense that arises after the bankruptcy filing. You may file a request for payment of an administrative expense according to 11 U.S.C. § 503.			
Name of Creditor (the person or other entity to whom the debtor owes money or property): Sai Manapragada			
Name and address where notices should be sent: Robert A. Simon - Barlow Garsek & Simon 3815 Lisbon Street Fort Worth, TX 76107			<input type="checkbox"/> Check this box if this claim amends a previously filed claim.
Telephone number: (817) 731-4500 email: rsimon@bgsfirm.com			Court Claim Number: _____ (If known)
Name and address where payment should be sent (if different from above):			<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Telephone number: _____ email: _____			Filed on: _____
1. Amount of Claim as of Date Case Filed: \$ 1,104,000.00			
If all or part of the claim is secured, complete item 4.			
If all or part of the claim is entitled to priority, complete item 5.			
<input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.			
2. Basis for Claim: Money Loaned and Services Rendered (See instruction #2)			
3. Last four digits of any number by which creditor identifies debtor:	3a. Debtor may have scheduled account as: (See instruction #3a)	3b. Uniform Claim Identifier (optional): (See instruction #3b)	Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information.			
Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe:		Basis for perfection: _____	
Value of Property: \$ _____		Amount of Secured Claim: \$ _____	
Annual Interest Rate _____ % <input type="checkbox"/> Fixed or <input type="checkbox"/> Variable (when case was filed)		Amount Unsecured: \$ _____	
5. Amount of Claim Entitled to Priority under 11 U.S.C. § 507 (a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.			
<input type="checkbox"/> Domestic support obligations under 11 U.S.C. § 507 (a)(1)(A) or (a)(1)(B).		<input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier – 11 U.S.C. § 507 (a)(4).	
<input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use – 11 U.S.C. § 507 (a)(7).		<input type="checkbox"/> Taxes or penalties owed to governmental units – 11 U.S.C. § 507 (a)(8).	
<input type="checkbox"/> Contributions to an employee benefit plan – 11 U.S.C. § 507 (a)(5).		<input type="checkbox"/> Other – Specify _____ applicable paragraph of 11 U.S.C. § 507 (a)(____).	
Amount entitled to priority: \$ _____			
*Amounts are subject to adjustment on 4/1/13 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.			
6. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #6)			

7. Documents: Attached are **redacted** copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, security agreements, or, in the case of a claim based on an open-end or revolving consumer credit agreement, a statement providing the information required by FRBP 3001(c)(3)(A). If the claim is secured, box 4 has been completed, and **redacted** copies of documents providing evidence of perfection of a security interest are attached. If the claim is secured by the debtor's principal residence, the Mortgage Proof of Claim Attachment is being filed with this claim. (See instruction #7, and the definition of "redacted".)

DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.

If the documents are not available, please explain:

8. Signature: (See instruction #8)

Check the appropriate box.

I am the creditor. I am the creditor's authorized agent. I am the trustee, or the debtor, or their authorized agent. I am a guarantor, surety, indorser, or other codebtor. (See Bankruptcy Rule 3005.)
(See Bankruptcy Rule 3004.)

I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.

Print Name: Robert A. Simon
Title: Attorney
Company: Barlow Garsek & Simon, LLP
Address and telephone number (if different from notice address above):

Telephone number: _____ email: _____

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.

INSTRUCTIONS FOR PROOF OF CLAIM FORM

The instructions and definitions below are general explanations of the law. In certain circumstances, such as bankruptcy cases not filed voluntarily by the debtor, exceptions to these general rules may apply.

Items to be completed in Proof of Claim form

Court, Name of Debtor, and Case Number:

Fill in the federal judicial district in which the bankruptcy case was filed (for example, Central District of California), the debtor's full name, and the case number. If the creditor received a notice of the case from the bankruptcy court, all of this information is at the top of the notice.

Creditor's Name and Address:

Fill in the name of the person or entity asserting a claim and the name and address of the person who should receive notices issued during the bankruptcy case. A separate space is provided for the payment address if it differs from the notice address. The creditor has a continuing obligation to keep the court informed of its current address. See Federal Rule of Bankruptcy Procedure (FRBP) 2002(g).

1. Amount of Claim as of Date Case Filed:

State the total amount owed to the creditor on the date of the bankruptcy filing. Follow the instructions concerning whether to complete items 4 and 5. Check the box if interest or other charges are included in the claim.

2. Basis for Claim:

State the type of debt or how it was incurred. Examples include goods sold, money loaned, services performed, personal injury/wrongful death, car loan, mortgage note, and credit card. If the claim is based on delivering health care goods or services, limit the disclosure of the goods or services so as to avoid embarrassment or the disclosure of confidential health care information. You may be required to provide additional disclosure if an interested party objects to the claim.

3. Last Four Digits of Any Number by Which Creditor Identifies Debtor:

State only the last four digits of the debtor's account or other number used by the creditor to identify the debtor.

3a. Debtor May Have Scheduled Account As:

Report a change in the creditor's name, a transferred claim, or any other information that clarifies a difference between this proof of claim and the claim as scheduled by the debtor.

3b. Uniform Claim Identifier:

If you use a uniform claim identifier, you may report it here. A uniform claim identifier is an optional 24-character identifier that certain large creditors use to facilitate electronic payment in chapter 13 cases.

4. Secured Claim:

Check whether the claim is fully or partially secured. Skip this section if the

Robert Simon

3/13/13

(Signature)

(Date)

claim is entirely unsecured. (See Definitions.) If the claim is secured, check the box for the nature and value of property that secures the claim, attach copies of lien documentation, and state, as of the date of the bankruptcy filing, the annual interest rate (and whether it is fixed or variable), and the amount past due on the claim.

5. Amount of Claim Entitled to Priority Under 11 U.S.C. § 507 (a):

If any portion of the claim falls into any category shown, check the appropriate box(es) and state the amount entitled to priority. (See Definitions.) A claim may be partly priority and partly non-priority. For example, in some of the categories, the law limits the amount entitled to priority.

6. Credits:

An authorized signature on this proof of claim serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

7. Documents:

Attach redacted copies of any documents that show the debt exists and a lien secures the debt. You must also attach copies of documents that evidence perfection of any security interest and documents required by FRBP 3001(c) for claims based on an open-end or revolving consumer credit agreement or secured by a security interest in the debtor's principal residence. You may also attach a summary in addition to the documents themselves. FRBP 3001(c) and (d). If the claim is based on delivering health care goods or services, limit disclosing confidential health care information. Do not send original documents, as attachments may be destroyed after scanning.

8. Date and Signature:

The individual completing this proof of claim must sign and date it. FRBP 9011. If the claim is filed electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what constitutes a signature. If you sign this form, you declare under penalty of perjury that the information provided is true and correct to the best of your knowledge, information, and reasonable belief. Your signature is also a certification that the claim meets the requirements of FRBP 9011(b). Whether the claim is filed electronically or in person, if your name is on the signature line, you are responsible for the declaration. Print the name and title, if any, of the creditor or other person authorized to file this claim. State the filer's address and telephone number if it differs from the address given on the top of the form for purposes of receiving notices. If the claim is filed by an authorized agent, provide both the name of the individual filing the claim and the name of the agent. If the authorized agent is a servicer, identify the corporate servicer as the company. Criminal penalties apply for making a false statement on a proof of claim.

CERTIFICATE OF SERVICE

I am employed in the office of a member of the bar of this Court in the City and County of San Francisco, at whose direction this service was made. I am over the age of 18 and not a party to the within action. My business address is 930 Montgomery Street, #600, San Francisco, California 94133.

On December 4, 2013, I served the document described as:

**OBJECTION TO PRIORITY CLAIMS OF SAI MANAPRAGADA,
CLAIM NUMBERS 4-1 AND 9-1**

on the interested parties in this action by placing [] the original [X] true copies thereof enclosed in sealed envelopes addressed as follows:

Sai Manapragada
27457 Green Hazel Road
Hayward, CA 94544

Robert A. Simon
Barlow Garsek & Simon
3815 Lisbon Street
Fort Worth, TX 76107

Henry W. Simon
Barlow, Garsek and Simon, LLP
3815 Lisbon St.
Fort Worth, TX 76107

BY U.S. MAIL: Service was accomplished by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California, addressed as set forth above.

BY E-MAIL/NEF: Service was accomplished through the Notice of Electronic Filing (“NEF”) for parties and counsel who are registered ECF Users.

I declare under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Executed on December 4, 2013, at San Francisco, California.

/s/Mike Terry
MIKE TERRY

*Courtesy Copy Delivered to Chambers:
U.S. Bankruptcy Court
Northern District of California
Hon. Roger L. Efremsky
Post Office Box 2070
Oakland, CA 94604-2070*